



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| | | | | |
|--|-------------|----------------------|-------------------------------|------------------------|
| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/632,262 | 08/01/2003 | Eric Damery | 1589.14 | 5499 |
| 34802 7590 12/06/2007 HOLLAND & KNIGHT LLP ATTN: STEFAN V. STEIN/ IP DEPT. POST OFFICE BOX 1288 TAMPA, FL 33601-1288 | | | EXAMINER WILLIAMS, KEVIN D | |
| | | | ART UNIT 2854 | PAPER NUMBER |
| | | | MAIL DATE 12/06/2007 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | | |
|------------------------------|------------------------|--|---------------------|--|
| Office Action Summary | Application No. | | Applicant(s) | |
| | 10/632,262 | | DAMERY ET AL. | |
| | Examiner | | Art Unit | |
| | Kevin D. Williams | | 2854 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

The amendment filed 10/24/2007 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: the memory, the speaker, and the speech synthesizer.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1 and 6 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification does not describe an embodiment of the invention that comprises the memory, the speaker, and the speech synthesizer.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Becker (US 4,445,871) in view of Breider (US 6,163,280) and further in view of Thompson (US 5,466,154).

- With respect to claims 1 and 4, Becker teaches a system for assisting blind and low vision users with taking notes, the system comprising: a portable notetaker 4 comprising: a keyboard (Fig. 1) for inputting information; a memory 189 for storing information; at least one mating connector 169 adapted to receive a corresponding mating pin of a detachable Braille display; and a detachable refreshable Braille display 2 comprising: a plurality of Braille cells 3; a housing 2 which contains the plurality of Braille cells; at least one mating pin 167a adapted to releasably attach the detachable Braille display to the mating connector of the notetaker such that the Braille display can be attached to the notetaker without the use of additional cables, and the Braille display includes a port 167a adapted to be connected to a personal computer for receiving data to be displayed.

Becker does not teach a speaker, a speech synthesizer for audibly outputting information by artificially producing human speech through the speaker from stored

information, and a switch for controlling whether the Braille display receives power whereby the switch is attached to the housing.

Breider teaches a system for assisting blind and low vision users comprising a speaker (inherent) and a speech synthesizer (col. 5, lines 45-50) for audibly outputting information by artificially producing human speech through the speaker from stored information.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Becker to have the speech synthesizer system, in order to further assist blind and low vision users by producing audio from stored files.

Thompson teaches a Braille display having a switch 5 for controlling whether the Braille display receives power whereby the switch is attached to the Braille display housing.

It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Becker to have the switch, in order to conserve power by determining when to allow the display to receive power.

- With respect to claims 5, Becker in view of Breider and Thompson does not teach the portable notetaker including a battery power source and the Braille display receiving power from the battery power source of the portable notetaker.

Becker teaches that the Braille display 2 provides electrical power from a battery to the notetaker 4. In view of this teaching, it would have been obvious to place the battery in the notetaker instead of the display and have the notetaker provide power to

the display, since this modification would only involve combining prior art elements according to known methods to yield predictable results.

5. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Becker in view of Breider and Thompson as applied to claims 1, 4, and 5 above, and further in view of Kerai (US 2002/0005707).

Becker in view of Breider and Thompson teaches the claimed invention except for the at least one mating pin formed on said Braille display being adapted to receive electrical power from the at least one mating connectors formed on said notetaker, and the at least one mating pins formed on said Braille display being a USB connector, the at least one mating connectors formed on said notetaker being a USB connector adapted to releasably engage the USB connector formed on the Braille display, the Braille display USB connector adapted to receive both data to be displayed and electrical power from said notetaker through the USB connection.

Becker teaches that the Braille display 2 provides electrical power from a battery to the notetaker 4. In view of this teaching, it would have been obvious to place the battery in the notetaker instead of the display and have the notetaker provide power to the display, since this modification would only involve combining prior art elements according to known methods to yield predictable results.

Kerai teaches the use of a USB connection 2 as a conventional electrical connection for transferring data and power.

It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Becker to have the USB connection as taught by Kerai, in order to provide a sufficient means for transferring power.

6. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Becker (US 4,445,871) in view of Breider (US 6,163,280).

- With respect to claim 6, Becker teaches a portable notetaker 4 for use by blind and low vision users, the notetaker having a keyboard (Fig. 1) for inputting information; a memory 189 for storing information; at least one mating pin 169; a refreshable Braille display 3 detachably mounted to the notetaker, the Braille display having at least one electrical connector 167a that engages the at least one mating pin of the notetaker for providing power, data and control connections between the Braille display and the notetaker when the Braille display is connected to the notetaker.

Becker does not teach a speaker and a speech synthesizer for audibly outputting information through the speaker by artificially producing human speech from stored information.

Breider teaches a speaker (inherent) and a speech synthesizer (col. 5, lines 45-50) for audibly outputting information through the speaker by artificially producing human speech from stored information.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Becker to have the speech synthesizer system, in order to further assist blind and low vision users by producing audio from stored files.

- With respect to claim 7, Becker teaches the claimed invention except for the notetaker including a battery that provides power to the Braille display when the Braille display is connected to the notetaker.

Becker teaches that the Braille display 2 provides electrical power from a battery to the notetaker 4. In view of this teaching, it would have been obvious to place the battery in the notetaker instead of the display and have the notetaker provide power to the display, since this modification would only involve combining prior art elements according to known methods to yield predictable results.

7. Claims 1, 2, 4, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breider (US 6,163,280) in view of Becker and Thompson.

- With respect to claims 1, 2, and 4, Breider teaches a system for assisting blind and low vision users with taking notes, the system comprising: a portable notetaker 2 comprising: a keyboard 5 for inputting information; a memory 3 for storing information; at least one mating connector (connection between 9 and 2; col. 3, lines 10-13) adapted to receive the detachable Braille display; a speaker (inherent), a speech synthesizer (col. 5, lines 45-48) for audibly outputting information by artificially producing human speech through the speaker from stored information; and a detachable refreshable Braille display 9 comprising: a plurality of Braille cells 8; a housing 9 which contains the plurality of Braille cells.

Breider does not teach the notetaker having at least one mating connector being adapted to receive a corresponding mating pin of a detachable Braille display; the Braille display comprising a switch for controlling whether the Braille display receives

power whereby the switch is attached to the housing, and at least one mating pin adapted to releaseably attach the detachable Braille display to the mating connector of the notetaker such that the Braille display can be attached to the notetaker without the use of additional cables.

Becker teaches a system for assisting blind and low vision users comprising a notetaker having at least one mating connector 169 being adapted to receive a corresponding mating pin of a detachable Braille display, a Braille display having at least one mating pin 167a adapted to releaseably attach the detachable Braille display to the mating connector of the notetaker such that the Braille display can be attached to the notetaker without the use of additional cables.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Breider to have the mating connector and pin as taught by Becker, in order to effectively detach the Braille display from the notetaker.

Thompson teaches a Braille display comprising a switch 5 for controlling whether the Braille display receives power whereby the switch is attached to a housing of the Braille display.

It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Breider to have the switch, in order to conserve power by determining when to allow the display to receive power.

- With respect to claim 6, Breider teaches a portable notetaker 2 for use by blind and low vision users, the notetaker having a keyboard 5 for inputting information; a

memory 3 for storing information; a speaker (inherent) and a speech synthesizer (col. 5, lines 45-48) for audibly outputting information through the speaker by artificially producing human speech from stored information; a refreshable Braille display 9 detachably (col. 3, lines 10-13) mounted to the notetaker.

Breider does not teach the notetaker having at least one mating pin, the Braille display having at least one electrical connector that engages the at least one mating pin of the notetaker for providing power, data and control connections between the Braille display and the notetaker when the Braille display is connected to the notetaker.

Becker teaches a notetaker having at least one mating pin 169, a Braille display having at least one electrical connector 167a that engages the at least one mating pin of the notetaker for providing power, data and control connections between the Braille display and the notetaker when the Braille display is connected to the notetaker.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Breider to have the mating connector and pin as taught by Becker, in order to effectively detach the Braille display from the notetaker.

8. Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breider in view of Becker and Thompson as applied to claims 1, 2, 4, and 6 above, and further in view of Kerai (US 2002/0005707).

Breider in view of Becker and Thompson teaches the claimed invention except for the at least one mating pins formed on said Braille display being a USB connector, the at least one mating connectors formed on said notetaker being a USB connector adapted to releasably engage the USB connector formed on the Braille display, the

Braille display USB connector adapted to receive both data to be displayed and electrical power from the notetaker through the USB connection, the notetaker including a battery that provides power to the Braille display when the Braille is connected to the notetaker.

Kerai teaches the use of a USB connection 2 as a conventional electrical connection for transferring data and power, and a notetaker including a battery (34; [0030]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Breider to have the USB connection and the battery as taught by Kerai, in order to make the device more portable.

Response to Arguments

9. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin D. Williams whose telephone number is (571) 272-2172. The examiner can normally be reached on Monday - Friday, 8:30am - 6:00pm.

Application/Control Number:
10/632,262
Art Unit: 2854

Page 11

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KDW
November 29, 2007

/Daniel J. Colilla/
Primary Examiner
Art Unit 2854